

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

GENERAL ORDER PENDING AMENDMENT OF
LOCAL BANKRUPTCY RULES 9014-3


Pending formal consideration by the Local Bankruptcy Rules Committee and adoption of the following revisions as amendments to the Local Bankruptcy Rules for the District of South Dakota,

IT IS HEREBY ORDERED that Local Bankruptcy Rule 9014-3(a) is revised as follows (additions shown by underlining):

(a) **Statement of Withdrawal.** Notwithstanding Fed.R.Bankr.P. 7041 and Fed.R.Civ.P. 41(a), a party may withdraw any pleading in a contested matter by filing a statement of withdrawal and serving the statement of withdrawal on the parties in interest. For the purposes of this rule, if the debtor is represented by an attorney, the parties in interest do not include the debtor, and the debtor's attorney shall be responsible for informing the debtor of the withdrawal. The Court's transmittal of a Notice of Electronic Filing to one or more of the foregoing parties pursuant to LBR 9014-1(b) shall satisfy the requirement that the motion be served on that party. A sample statement of withdrawal is provided at **Appendix 50**.

So ordered this 12th day of July, 2005.

BY THE COURT:



Irvin N. Hoyt
Bankruptcy Judge